

## REMARKS

Claims 30, 31, and 34-42 are presently pending. Claims 30, 31, and 34-42 stand rejected. Claims 1-29, 32 and 34 have been cancelled without prejudice.

Claim 30 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Husain et al. (USPN 6,978,390, “Husain”) in view of Lintulampi (USPN 6,377,804, “Lintulampi”) and Davis (USPN 5,867,793, “Davis”). Claim 30 has been amended to include, among other limitations, “wherein the mobile terminal is operable to detect a command preceding an audio signal and operable to record the account information after detecting the command, wherein the command is transmitted wirelessly”.

Although Examiner has indicated that Davis “teaches a cellular phone audio recorder that includes detecting a command (Col. 3 lines 6-10)”, Davis teaches “To record a message, the RECORD button 36 is pressed and released. The optional red light 45 is on which indicates that a message is being recorded. To stop recording, the RECORD button 36” is pressed again and the read light 45 is turned off.” Assignee respectfully submits that Davis does not teach “wherein the command is transmitted wirelessly”. Accordingly, Assignee respectfully requests that Examiner withdraw the rejection to claim 30 and dependent claims 31, 34, 35, and 36.

Claim 37 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Husain in view of Flitcroft. Claim 37 is amended to recite, among other limitations, “an input for receiving an audio signal carrying a control signal and encrypted account information associated with the application for credit over a second network, wherein the control signal prompts the mobile terminal to decrypt the account information and save the account information to non-volatile memory”. Assignee respectfully submits that Flitcroft does not teach “an input for receiving an audio signal carrying a control signal and encrypted account information associated with the application for credit over a second network, wherein the control signal prompts the mobile terminal to decrypt the account information and save the account information to non-volatile memory”. Accordingly, Assignee respectfully requests that Examiner withdraw the rejection to claim 37, and 38-42.

### **Conclusion**

For the foregoing reasons, each of the pending claims is allowable making the application in a condition for allowance. A notice of allowance is respectfully requested. It is believed that no fee is due, however, to the extent that any fee is due, the Commissioner is hereby authorized to charge such fee to charge account 13-0017.

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Respectfully submitted,



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